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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK
-----X
RONALD LIPTON and BRETT LIPTON,

Plaintiffs,

-against- 00 Civ. 319(LEK)(RWS)

JOHN WOOTON, KEVIN LANE, EDWIN BREWSTER, THE TOWN OF
WOODSTOCK, TOWN OF SAUGERTIES, GREG HULBERT, CHIEF
OF THE TOWN OF SAUGERTIES POLICE DEPARTMENT and JOHN
DOE, AN UNIDENTIFIED TOWN OF SAUGERTIES POLICE OFFICER,

Defendants.
-----X

EXAMINATION BEFORE TRIAL

of the Defendant, JOHN WOOTON, held on October 15th,
2002, commencing at 10:20 a.m., at the offices of Valley
Reporting Service, 115 Green Street, Kingston, New York,
before Kimberly Burke, a Shorthand Reporter and Notary
Public in and for the State of New York.

* * * * *

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RONALD LIPTON
BRETT LIPTON
KEVIN LANE
EDWIN BREWSTER
GREG HULBERT

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S T I P U L A T I O N S

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IT IS HEREBY STIPULATED AND AGREED by
and between the counsel for the respective parties
hereto that all rights provided by the C.P.L.R.,
including the right to object to any question,
except as to the form, or to move to strike any
testimony at this examination, are reserved; and,
in addition, the failure to object to any question
or to move to strike testimony at this examination
shall not be a bar or waiver to make such a motion
at, and is reserved for, the trial of this action.

IT IS FURTHER STIPULATED AND AGREED that this
examination may be signed and sworn to by the
witness being examined, before a Notary Public
other than the Notary Public before whom this
examination was begun, but the failure to do so,
or to return the original of this examination to
counsel, shall not be deemed a waiver of rights
provided by Rules 3116 and 3117 of the C.P.L.R.,
and shall be controlled thereby.

IT IS FURTHER STIPULATED AND AGREED that
the filing of the original of this examination
shall be and the same is hereby waived.

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2

JOHN WOOTON,

3

having been first duly sworn by the Notary Public,

4

was examined and testified as follows:

5

* * * * *

6

EXAMINATION BY MR. ISSEKS:

7

Q. Officer Wooton, where are you employed?

8

A. With the Woodstock Police Department.

9

Q. How long have you been employed there?

10

A. Since 1990.

11

Q. What is your present office in the Woodstock

12

Police Department?

13

A. Police officer.

14

Q. Is that how you were employed since 1990?

15

A. Yes.

16

Q. Were you on duty on February 14th, 1999?

17

A. Yes.

18

Q. What was your shift on that day?

19

A. 3:00 p.m. to 11:00 p.m.

20

Q. What were your duties on that shift?

21

A. Patrol.

22

Q. Routine patrol?

23

A. Yes.

24

Q. Did there come a time when you met the plaintiffs

25

in this lawsuit, Ronald Lipton and Brett Lipton,

1 JOHN WOOTON

2 on February 14th, 1999?

3 A. Yes.

4 Q. What time was that?

5 A. Approximately 4:30.

6 Q. In the afternoon?

7 A. Yes.

8 Q. Did you ever meet either Ron or Brett Lipton prior
9 to that time?

10 A. No.

11 Q. Had you ever heard of them prior to that time?

12 A. No.

13 Q. Did you meet both Ronald and Brett Lipton at 4:30
14 in the afternoon of February 14th, 1999 or just
15 one of them?

16 A. Just one of them at the first meeting.

17 Q. Where was that?

18 A. On Glasco Turnpike in the Town of Woodstock.

19 Q. Were you with any other officer when you met --
20 who was it Ron or Brett?

21 A. Ronald.

22 Q. When you met Ron Lipton at 4:30 on Glasco
23 Turnpike, were you with any other officer?

24 A. No.

25 Q. Where were you located on Glasco Turnpike when you

1 JOHN WOOTON

2 met Ron Lipton?

3 A. I was at a traffic stop, I had another vehicle
4 pulled over.

5 Q. When you met Ron Lipton, where was he?

6 A. He pulled up behind my patrol unit and walked to
7 my vehicle.

8 Q. Did you observe whether he was the driver?

9 A. Yes, he was the driver.

10 Q. What was he driving?

11 A. A black vehicle.

12 Q. Where in relation to your vehicle did Mr. Lipton
13 drive his vehicle?

14 A. He parked directly behind my vehicle.

15 Q. Did he immediately get out of his vehicle?

16 A. Yes.

17 Q. When he got out of his vehicle and approached you,
18 were you in your vehicle or were you somewhere
19 else?

20 A. I was in my vehicle.

21 Q. What were you doing?

22 A. I believe I was issuing a summons.

23 Q. The person to whom you were issuing the summons,
24 were they still at that location?

25 A. Yes.

1 JOHN WOOTON

2 Q. Where was that person?

3 A. In their vehicle.

4 Q. And was that in front of yours?

5 A. Yes.

6 Q. What happened when Mr. Lipton came up to you when
7 you were in your vehicle?

8 A. He was asking for directions.

9 Q. Do you recall how long a meeting you had at that
10 time?

11 A. Not more than a couple of minutes.

12 Q. During that couple of minute period, did Mr.
13 Lipton say anything to you other than to ask you
14 for directions?

15 A. No.

16 Q. Do you recall how it was that he broached the
17 subject to you of directions?

18 A. Can you repeat that again?

19 Q. Do you recall what it was that he said to you when
20 he came up to you and asked you for directions?

21 A. Yes.

22 Q. What did he say?

23 A. He said he was looking for his girlfriend's house
24 on Wrolsen Drive.

25 Q. Did he give you any particulars about who his

1 JOHN WOOTON

2 girlfriend was or anything about her?

3 A. No.

4 Q. Did he give you the name of his girlfriend?

5 A. I don't recall.

6 Q. Did you give him directions to Wrolsen Drive?

7 A. I called my dispatcher and got directions, yes.

8 Q. And then you relayed those to Mr. Lipton?

9 A. Yes.

10 Q. Was anything else said by you or by Mr. Lipton
11 during that meeting that you have just described?

12 A. No.

13 Q. After you gave Mr. Lipton directions to Wrolsen
14 Drive, what happened?

15 A. He left the area and I finished the UTT and I
16 left.

17 Q. Did you see in which direction Mr. Lipton
18 proceeded?

19 A. Eastbound.

20 Q. Were you able to observe if there was anyone else
21 in Mr. Lipton's vehicle besides himself?

22 A. Yes, there was.

23 Q. Did there come a time when you learned who that
24 person was?

25 A. Yes.

1 JOHN WOOTON

2 Q. Who was that?

3 A. Brett Lipton, his son.

4 Q. Prior to the meeting with Ron Lipton at 4:30, had
5 you received any information concerning the
6 Wrolsen residence?

7 A. No.

8 Q. Had you ever heard of James Wrolsen before your
9 meeting with Ron Lipton on February 14th?

10 A. No.

11 Q. Had you ever heard of the Wrolsen family before
12 that time?

13 A. No.

14 Q. Had you gotten any word before you met Ron Lipton
15 as to any dispatches that may have been
16 transmitted over the radio from the Saugerties
17 Police Department?

18 A. Before?

19 Q. Yes.

20 A. No.

21 Q. Did you make any gesture to Ronald Lipton or Brett
22 Lipton before Ron Lipton stopped behind your
23 vehicle at about 4:30?

24 A. No.

25 Q. Was there any eye contact at all between yourself

1 JOHN WOOTON

2 and Ron Lipton before Ron Lipton exited his
3 vehicle to approach you?

4 A. No.

5 Q. Did there come a time after the Liptons left the
6 site where you had given Ron Lipton directions to
7 the Wrolsen residence that you saw the Liptons
8 again on February 14th?

9 A. Yes.

10 Q. When was that?

11 A. Probably a half an hour to forty minutes later.

12 Q. Where were you when you met the Liptons the second
13 time?

14 A. Mill Hill Road in the Town of Woodstock.

15 Q. When you met them, what were you doing?

16 A. I was on routine patrol.

17 Q. What were the Liptons doing?

18 A. Ronald Lipton was on the phone by the Mobil gas
19 station.

20 Q. What was Brett Lipton doing?

21 A. Sitting in the vehicle.

22 Q. How far was the vehicle from where Ron Lipton was
23 on the phone?

24 A. Approximately thirty to forty feet.

25 Q. Were you inside your vehicle when you observed the

1 JOHN WOOTON

2 two of them?

3 A. Yes.

4 Q. Were you driving or were you stationary?

5 A. I was driving.

6 Q. Where were you heading at the time that you were
7 driving?

8 A. I don't recall heading anywhere, I was just
9 patrolling.

10 Q. While you were patrolling, was anyone else in your
11 vehicle?

12 A. No.

13 Q. Was there any other police officer in the area of
14 Millhill Road when you observed Ron and Brett
15 Lipton that second time on the 14th?

16 A. I don't know.

17 Q. Had you received any communication from any police
18 officer either from the Woodstock Police or the
19 Saugerties Police concerning the Liptons before
20 you observed them on Mill Hill Road that second
21 time?

22 A. No.

23 Q. When you observed the Liptons that second time,
24 did you continue in your vehicle or did you come
25 to a stop?

1 JOHN WOOTON

2 A. I continued.

3 Q. Did you pass the location where Ron Lipton was
4 talking on the telephone?

5 A. Yes.

6 Q. How far did you continue to go?

7 A. I don't know.

8 Q. Is it accurate to say that you just drove by when
9 you observed them that second time?

10 A. Yes.

11 Q. During the period of time that you were observing
12 them -- and this is the second time when Ron
13 Lipton was on the phone and Brett Lipton was
14 sitting in his vehicle -- did you observe either
15 one of them do anything other than that? That is,
16 one talking on the phone and the other sitting in
17 his vehicle.

18 A. No.

19 Q. Did you have any eye contact with either one of
20 them at that time?

21 A. No.

22 Q. Did you have any communication with them in any
23 form during that period of time when you observed
24 them when Ron Lipton was on the phone?

25 A. No.

1 JOHN WOOTON

2 Q. How long were you observing them from the time
3 that you first observed Ron Lipton on the phone
4 and Brett sitting in his vehicle until the time
5 that they were no longer visible to you?

6 A. I just drove by.

7 Q. So it was just a matter of seconds?

8 A. Yes.

9 Q. Did there come a time when you saw the Liptons a
10 third time after that?

11 A. Yes.

12 Q. How much time elapsed between when you observed
13 the Liptons on that third occasion from the second
14 occasion?

15 A. I have no idea.

16 Q. Was it a matter of minutes, hours or what?

17 A. Oh, it was minutes.

18 Q. When you observed the Liptons the third time that
19 day, where were they?

20 A. In the same location.

21 Q. Was Ron Lipton still on the telephone?

22 A. Yes.

23 Q. Was Brett Lipton still sitting in the car?

24 A. Yes.

25 Q. And they were still at the same gas station?

1 JOHN WOOTON

2 A. Yes.

3 Q. Had you turned around and returned to that
4 location?

5 A. Yes.

6 Q. Was there a reason for you doing so?

7 A. Yes, there was.

8 Q. What was that?

9 A. I heard the Saugerties Police dispatch a patrol
10 unit to Wrolsen Drive for a trespass.

11 Q. You said that you heard the Saugerties Police
12 dispatch a police unit for a trespass; is that
13 correct?

14 A. Yes.

15 Q. What does that mean "dispatch a police unit"?

16 A. It means somebody needs help.

17 Q. What did you understand that transmission to mean?
18 When you say they dispatched a police unit, does
19 that mean that they told a police unit to report
20 to Wrolsen Drive?

21 A. Yes.

22 Q. And that would have been a Saugerties Police
23 Department unit?

24 A. Yes.

25 Q. Do you know where Wrolsen Drive is relative to the

1 JOHN WOOTON

2 Mobil station where you observed Ron Lipton
3 talking on the phone?

4 A. No.

5 Q. Do you know how far away it is?

6 A. No.

7 Q. Do you know whether Wrolsen Drive is in the Town
8 of Saugerties or some other township?

9 A. I know that now.

10 Q. Where do you know it to be?

11 A. It's in the Town of Saugerties.

12 Q. What was it that you heard on that dispatch that
13 caused you to go back to where the Liptons were at
14 the Mobil station?

15 A. I pretty much knew that those were the subjects
16 that were at that location.

17 Q. What did you base that knowledge upon; how did you
18 know it?

19 A. Instinct.

20 Q. Instinct?

21 A. Yes.

22 Q. Did you receive any information from any source
23 prior to the time that you chose to turn around
24 and go back to where you had observed the Liptons
25 at the Mobil station that the Liptons were the

1 JOHN WOOTON

2 subjects of the trespass -- is that what you said
3 it was? Was it a trespass or an incident on
4 Wrolsen Drive?

5 A. Can you repeat that again?

6 Q. Did you receive any information from any source
7 before you decided to turn back to where the
8 Liptons were that the Liptons were involved in
9 whatever it was that happened at Wrolsen Drive
10 that precipitated dispatching the vehicle there?

11 A. Well, I had run the plate and I knew the names of
12 the people.

13 Q. When you say that you had run the plate, what
14 plate are you referring to?

15 A. The license plate.

16 Q. Of the Lipton vehicle?

17 A. Yes.

18 Q. When did you run the plate of the Lipton vehicle?

19 A. I believe after he had left the Glasco Turnpike
20 area.

21 Q. That's the first time that you saw him back around
22 4:30?

23 A. Yes.

24 Q. What was the reason for you running the plate of
25 the Lipton vehicle?

1 JOHN WOOTON

2 A. Suspicion.

3 Q. What caused your suspicion at that time?

4 A. Some statements that Mr. Lipton had made to me.

5 Q. Were these statements in addition to his inquiring
6 as to directions to Wrolsen Drive?

7 A. Yes.

8 Q. What were those statements that caused you
9 suspicion?

10 A. He said he was looking for his girlfriend's house.

11 Q. Anything else?

12 A. No.

13 Q. It was the statement of "I'm looking for my
14 girlfriend's house" that caused you to be
15 suspicious of him?

16 A. Yes.

17 Q. What was it that you were suspicious of him doing?

18 A. I didn't make an inference on that.

19 Q. So you found him to be suspicious, but he was not
20 a suspect of anything in particular?

21 A. That's correct.

22 Q. When you ran the license check, what was it that
23 you did to perform that?

24 A. I called the Woodstock dispatcher.

25 Q. Who was that?

1 JOHN WOOTON

2 A. His name is George France.

3 Q. What did you say to George France?

4 A. I didn't say anything to him.

5 Q. How did you check the license plate through
6 George?

7 A. I said, I want to run a license check.

8 Q. And you gave him the license number and he got
9 back to you?

10 A. Yes.

11 Q. Was this before or after you had completed issuing
12 the summons to that third party on Glasco Turnpike
13 that you were issuing the summons to?

14 A. I don't recall if it was before or after.

15 Q. What did George France tell you?

16 A. He just read back the license information.

17 Q. What was that?

18 A. His name, his address and if it was valid or not.

19 Q. Did you do anything with the information that
20 George France provided to you?

21 A. No.

22 Q. Did you write it down?

23 A. No.

24 Q. Did you tell George why you wanted that
25 information?

1 JOHN WOOTON

2 A. No.

3 Q. When you got back to the Mobil station, what did
4 you do?

5 MR. POSNER: Is this the third time
6 or what time are you talking about?

7 MR. ISSEKS: He returned to the Mobil
8 station only once and that was the third time that
9 he saw the Liptons.

10 Q. When you returned to the Mobil station after you
11 had passed the Liptons and after you had heard
12 that the Saugerties Police had dispatched a car to
13 Wrolsen Drive, what did you do?

14 A. I radioed my dispatcher and told him to call
15 Saugerties PD to find out exactly who they were
16 looking for, because I have an idea of who it
17 would be.

18 Q. When you did that, did you know why a vehicle had
19 been dispatched to Wrolsen Drive?

20 A. No.

21 Q. Did you hear anything about the nature of the
22 occurrence on Wrolsen Drive that caused the
23 dispatch?

24 A. A trespass.

25 Q. Did you hear anything about the details of the

1 JOHN WOOTON

2 trespass?

3 A. No.

4 Q. Did your dispatcher relay the information to

5 Saugerties?

6 A. I hope so.

7 Q. After you informed the dispatcher that you thought

8 you knew who the individuals might be that

9 Saugerties was interested in, were you able to

10 hear the dispatcher then relay that information to

11 Saugerties?

12 A. No.

13 Q. Was the radio such that in order for you to hear

14 the dispatcher, the dispatcher had to be speaking

15 directly to you?

16 A. I'm not sure if I understand the question.

17 Q. What I'm trying to find out is how this radio

18 system works. If you radioed to George France,

19 your dispatcher, information that you wanted

20 relayed to Saugerties, what would the dispatcher

21 then do in order to comply with your request?

22 A. He would call them by phone.

23 Q. Not by radio?

24 A. No.

25 Q. Why is that?

1 JOHN WOOTON

2 A. Because we work off of different frequencies. His
3 bay station only covers us, the Woodstock Police
4 Department.

5 Q. When you heard the Saugerties Police Department
6 dispatch a vehicle to Wrolsen Drive, what did you
7 hear that on?

8 A. On a Saugerties frequency.

9 Q. So you would have to switch frequencies from
10 Saugerties to Woodstock in order to speak to one
11 or the other?

12 A. To speak to them, yes.

13 Q. And how about hearing them?

14 A. No, you wouldn't have to switch.

15 Q. Did you have any direct communication with the
16 Saugerties Police Department from your radio?

17 A. No.

18 Q. At any time?

19 A. Not at any time.

20 Q. After you told your dispatcher -- and it was still
21 George France?

22 A. Yes.

23 Q. -- the information that you had that you wanted
24 relayed to Saugerties, what happened?

25 A. I pulled across the street in the driveway of an

1 JOHN WOOTON

2 establishment and waited.

3 Q. What was the name of the establishment?

4 A. I can't remember it now.

5 Q. What kind of establishment was it?

6 A. It's a bar.

7 Q. And you stopped your vehicle?

8 A. Yes.

9 Q. Were you facing the Liptons when you stopped your
10 vehicle?

11 A. Yes.

12 Q. How far were you from the Liptons when you stopped
13 your vehicle?

14 A. I was just inside the driveway on the other side
15 of the street.

16 Q. So in car lengths, let's say, about how far away
17 were you or if you have some better estimate such
18 as yards you can use that?

19 A. Probably forty yards.

20 Q. Had you had any communication with the Liptons at
21 any time before you stopped your vehicle across
22 the street from them?

23 A. No.

24 Q. Had you made any eye contact with them?

25 A. No.

1 JOHN WOOTON

2 Q. When you stopped your vehicle facing them, was Ron
3 Lipton still on the phone?

4 A. Yes.

5 Q. Was Brett Lipton still sitting in the vehicle?

6 A. Yes.

7 Q. What did you do after you stopped the vehicle?

8 A. I waited to hear from Saugerties PD.

9 Q. What was it that led you to believe that you would
10 hear from them?

11 A. Because it sounded like they committed a crime.

12 Q. Did you get any indication from the Saugerties
13 Police that they would be radioing to you at that
14 point?

15 MR. POSNER: Did he directly from
16 Saugerties?

17 MR. ISSEKS: Yes.

18 A. Directly, no; I had no communication with
19 Saugerties.

20 Q. Did George France, the dispatcher, inform you that
21 the Saugerties Police would be contacting you?

22 A. Directly?

23 Q. Did George France tell you that?

24 A. No.

25 Q. As you were sitting in your vehicle parked, did

1 JOHN WOOTON

2 you hear any radio transmissions?

3 A. There were lots of transmissions.

4 Q. Did you hear any?

5 A. Yes.

6 Q. Did you hear any regarding the Wrolsen Drive
7 incident or the Liptons?

8 A. No.

9 Q. Did there come a time when you exited your vehicle
10 from that parked position?

11 A. Yes.

12 Q. How long a period of time were you sitting in the
13 car before you exited it?

14 A. Five to ten minutes.

15 Q. During that period of time from the time that you
16 parked your vehicle across the road from where the
17 Liptons were at the Mobil station to the time that
18 you exited your vehicle five to ten minutes later,
19 did any other police officer arrive at that scene?

20 A. Yes.

21 Q. Who?

22 A. Officer Kevin Lane.

23 Q. How did he get there; by his own vehicle?

24 A. Yes.

25 Q. Was he alone?

1 JOHN WOOTON

2 A. Yes.

3 Q. Had you had any communication with Kevin Lane
4 before he arrived at the scene?

5 A. I might have. I don't know.

6 Q. Would there be any document that would refresh
7 your recollection as to whether you had any
8 communication with him?

9 A. There might be. I don't know.

10 Q. If you had any communication with Kevin Lane, what
11 sort of document would that be reflected in?

12 A. It may be on tape.

13 Q. And that would be a tape of the radio
14 transmission?

15 A. Yes.

16 Q. As you sit here right now, do you have any
17 recollection of speaking to Kevin Lane over the
18 radio before he arrived at the scene?

19 A. No, I don't.

20 Q. Do you know whether George France had any
21 communication with Kevin Lane before Lane arrived
22 at the scene?

23 A. No, I don't.

24 Q. Do you know the reason for Kevin Lane's arriving
25 at the scene?

1 JOHN WOOTON

2 A. Yes, we were going to approach the subjects.

3 Q. So as far as you know, the purpose for Lane
4 arriving there was to approach the Liptons?

5 A. Yes.

6 Q. What do you base that understanding on?

7 A. Saugerties PD told us that they wanted them.

8 Q. When did Saugerties PD tell you that?

9 A. After I asked for the information from them.

10 Q. What information did you ask to get from the
11 Saugerties Police Department?

12 A. As I stated before, I had the dispatcher call
13 Saugerties PD to see if in fact these were the
14 people that they were looking for.

15 Q. And you learned that Saugerties PD did want the
16 Liptons?

17 A. Yes.

18 Q. Who relayed that information to you; was it
19 Saugerties PD directly or George France or someone
20 else?

21 A. George France.

22 Q. What was it that France told you?

23 A. He said that they wanted them.

24 Q. Did he tell you what Saugerties wanted the Liptons
25 for?

1 JOHN WOOTON

2 A. I don't recall if he said anything or not.

3 Q. When Lane arrived at the scene, were you still in
4 your vehicle?

5 A. Yes.

6 Q. Did Lane get out of his vehicle when he arrived
7 there?

8 A. No.

9 Q. He stayed in it?

10 A. Yes.

11 Q. Did you get out of your vehicle when Lane arrived?

12 A. No.

13 Q. So the two of you sat in separate vehicles?

14 A. Yes.

15 Q. Where was Lane's vehicle in relation to yours?

16 A. He was next to mine on the passenger's side.

17 Q. He was also facing the Liptons?

18 A. Yes.

19 Q. Did you have any conversations while the two of
20 you were seated in your respective vehicles?

21 A. Yes.

22 Q. What did you talk about while the two of you were
23 seated in your vehicles?

24 A. I don't recall exactly what we talked about.

25 Q. Did you talk about the Liptons?

1 JOHN WOOTON

2 A. Yes.

3 Q. Do you recall anything that either one of you said
4 about the Liptons at that time?

5 A. I don't recall exactly what we said, no.

6 Q. Going back to the information that you received
7 from George France. Up to the time that you and
8 Lane are sitting in your respective vehicles, had
9 you received any information from France about who
10 the Liptons were?

11 A. No.

12 Q. Did you receive any information from France as to
13 whether or not the Liptons might be dangerous?

14 A. Yes.

15 Q. When you received that information, had Lane
16 already arrived at the scene?

17 A. Yes.

18 Q. Were both of you listening to the same
19 transmission from France as far as you know?

20 A. As far as I know, yes.

21 Q. What was it that France said about the
22 dangerousness or purported dangerousness of the
23 Liptons?

24 A. He said they were probably carrying weapons.

25 Q. Did he tell you what he based that information on?

1 JOHN WOOTON

2 A. No.

3 Q. Did he tell you anything else about the Liptons?

4 A. Not that I'm aware of, no.

5 Q. Did there come a time when either you or Lane got
6 out of your vehicle?

7 A. Yes.

8 Q. Did both of you get out of your vehicles at the
9 same time?

10 A. I wasn't watching what he was doing, but
11 approximately within reason, yes.

12 Q. When you got out of your vehicle, what did you do?

13 A. We approached the Liptons.

14 Q. When you say "we," you mean both you and Officer
15 Lane?

16 A. Myself and Officer Lane, yes.

17 Q. When you approached the Liptons, was Ron Lipton
18 still on the phone?

19 A. Yes.

20 Q. Was Brett Lipton still sitting in his vehicle?

21 A. Yes.

22 Q. When you approached the Liptons, what did you do?

23 A. I spoke to Ronald Lipton and told him that the
24 Saugerties Police wanted him.

25 Q. When you spoke to Ron, did he still have the phone

1 JOHN WOOTON

2 up to his ear?

3 A. Yes.

4 Q. Was he still talking on the phone?

5 A. As far as I know, yes.

6 Q. When you told Ron Lipton that the Saugerties

7 Police wanted him, did you tell him what they

8 wanted him for?

9 A. Yes.

10 Q. To the best that you recall, what was the sum and

11 substance of what you said to him as you first got

12 up to him?

13 A. I told him that the Saugerties Police wanted him

14 in a trespass complaint.

15 Q. Did you tell him where the alleged trespass took

16 place?

17 A. No.

18 Q. Did Ron Lipton say anything in response?

19 A. I believe he said he didn't trespass or something

20 to that effect. He said, I didn't do anything

21 wrong or something like that.

22 Q. Were you armed at that time?

23 A. Yes.

24 Q. Was your weapon drawn when you approached Ron

25 Lipton?

1 JOHN WOOTON

2 A. No.

3 Q. Was Lane's weapon drawn at the time that he
4 approached Brett Lipton?

5 A. No.

6 Q. How long was your conversation with Ron Lipton
7 after you approached him and informed him that the
8 Saugerties Police wanted him?

9 A. Probably three or four minutes.

10 Q. During that three or four minute period of time
11 what, if anything, was said other than your
12 informing him that the Saugerties Police wanted
13 him and him responding that he did not do anything
14 wrong?

15 A. It went on back and forth. He insisted that he
16 didn't do anything wrong and I advised him that
17 he's got to take that up with the Saugerties
18 Police.

19 Q. Did you place him under arrest?

20 A. Yes.

21 Q. Was that during that three or four minute period
22 of time?

23 A. I believe I walked him over to the vehicle first;
24 we walked towards his vehicle.

25 Q. Towards the Lipton vehicle?

1 JOHN WOOTON

2 A. Yes.

3 Q. In what manner did you walk him over?

4 A. I just walked next to him.

5 Q. Was there a reason for going over to the Lipton
6 vehicle?

7 A. The other officer was there.

8 Q. When you told Ron Lipton that the Saugerties
9 Police wanted him, did you know whether or not
10 there had been a complaint signed against the
11 Liptons?

12 A. Yes.

13 Q. There had been at that point?

14 A. As far as I know, yes.

15 Q. What did you base that information on?

16 A. I asked the dispatcher in Woodstock.

17 Q. Was this while you were still seated in your
18 vehicle?

19 A. Yes.

20 Q. Did you have any conversations with either Ron or
21 Brett Lipton before you learned that a complaint
22 had been signed against them?

23 A. No.

24 Q. Had you exited your vehicle at any time after you
25 had returned to the Mobil station before learning

1 JOHN WOOTON

2 that a complaint had been signed against the
3 Liptons?

4 A. No.

5 Q. Is it correct then that you waited to hear that a
6 complaint had been signed before exiting your
7 vehicle?

8 A. Yes.

9 Q. And the purpose of exiting your vehicle was to
10 arrest them on the signed complaint?

11 A. Yes.

12 Q. When you learned that a complaint had been signed
13 against the Liptons, did you know what the
14 complaint charged the Liptons with?

15 A. No.

16 Q. Had you received any information at all as to the
17 offense that they were being accused of having
18 committed?

19 A. No.

20 Q. Did you know that the complaint that had been
21 signed was a complaint for trespassing?

22 A. Yes.

23 Q. Did you place Ron Lipton in handcuffs?

24 A. Yes.

25 Q. Was Brett Lipton placed in handcuffs?

1 JOHN WOOTON

2 A. Yes.

3 Q. Who placed Brett in handcuffs?

4 A. I believe Officer Lane did.

5 Q. At the time that the Liptons were placed in
6 handcuffs, had anyone, either yourself or Lane,
7 informed them of what it was that they were being
8 arrested for?

9 A. We believe there was some sort of trespass in the
10 Town of Saugerties Police.

11 Q. And you based that belief upon what specifically?

12 A. The dispatcher's statement saying that the
13 Saugerties Police wanted them.

14 Q. And they told you that they wanted them for
15 trespassing?

16 A. Yes, I believe that's what he said. I don't know
17 for sure.

18 Q. Do you have any recollection of the dispatcher
19 informing you that they wanted the Liptons for
20 anything other than trespassing?

21 A. No.

22 Q. How long a period were the Liptons in handcuffs at
23 the Mobil station site?

24 A. Probably five to ten minutes.

25 Q. During that period of time, where were they

1 JOHN WOOTON

2 situated?

3 A. We placed them in the patrol unit.

4 Q. What was going on during the time when they were
5 in the patrol unit?

6 A. We ended up searching the vehicle.

7 Q. When you say "the vehicle," you're referring to
8 the Lipton vehicle, of course?

9 A. Yes, the Lipton vehicle.

10 Q. What was the reason for searching the Lipton
11 vehicle?

12 A. We asked if they had any weapons and he said, Yes,
13 there was a shotgun in the back seat.

14 Q. When you searched the Lipton vehicle, you did so
15 for what reason?

16 A. Our safety.

17 Q. Did you ask the Liptons if you could search the
18 vehicle?

19 A. I don't recall.

20 Q. Do you know if Lane asked?

21 A. I don't know that.

22 Q. At the time that you searched the Lipton vehicle,
23 were the Liptons already in handcuffs?

24 A. Yes.

25 Q. At any time from the time that you left your

1 JOHN WOOTON

2 vehicles to go over to the Liptons to the time
3 that you left the scene of the Mobil station, had
4 you received any other dispatches?

5 A. No.

6 Q. Had you heard any other radio transmissions from
7 any police agency?

8 A. No.

9 Q. Did you radio to anyone before leaving the scene?

10 A. Just my dispatcher.

11 Q. What did you tell him?

12 A. That we had two in custody and we were en route
13 back to the station.

14 Q. Did you make any arrangements at any time to meet
15 any officers from the Saugerties Police Department
16 after leaving or before you left the Mobil
17 station?

18 A. No.

19 Q. Where was the gun that you found?

20 A. In the back seat.

21 Q. Where on the back seat?

22 A. I believe it was on the floor; across the floor of
23 the car (indicating).

24 Q. Was it exposed or was it enclosed in some way?

25 A. Both; it was partially exposed.

1 JOHN WOOTON

2 Q. Did you measure that weapon?

3 A. Yes.

4 Q. When?

5 A. Back at the Woodstock Police station.

6 Q. Did you have any conversations with either Ron or
7 Brett Lipton about the gun when you observed it?

8 A. When I observed it?

9 Q. Yes.

10 A. No.

11 Q. You didn't ask them about it?

12 A. Not at that point, no.

13 Q. At any point before you left the Mobil station,
14 did you ask them about it?

15 A. I don't believe so.

16 Q. How about Lane; do you know if he had any
17 conversations with either one of the Liptons
18 concerning the gun?

19 A. I don't know.

20 Q. Did you have any conversations with Lane about the
21 gun before leaving the Mobil station?

22 A. Yes.

23 Q. What was your conversation with Lane about the
24 gun?

25 A. We wanted to secure it and take it back with us to

1 JOHN WOOTON

2 check it to see if it was a legal gun or not.

3 Q. That's it?

4 A. Yes.

5 Q. When you left the Mobil station, were the Liptons
6 in the same vehicle?

7 A. I don't recall if they were in the same one or
8 not. I believe they were split up.

9 Q. Did both police vehicles leave the site at the
10 same time?

11 A. Yes.

12 Q. Did you proceed directly to the Woodstock Police
13 Department?

14 A. Yes.

15 Q. How long did it take you to get to the Woodstock
16 Police station?

17 A. It was probably a three minute ride.

18 Q. Did you make any stops along the way?

19 A. No.

20 Q. Did you have any conversations with either one of
21 the Liptons en route to the Woodstock Police
22 station?

23 A. No.

24 Q. Did you have any conversations with anyone over
25 the radio while you were proceeding to the

1 JOHN WOOTON

2 Woodstock Police station?

3 A. No.

4 Q. Did you hear any information over the radio from
5 any source concerning the Liptons or the Wrolsen
6 incident as you were proceeding from the Mobil
7 station to Woodstock?

8 A. No.

9 Q. When you arrived at the police station, what
10 happened?

11 A. We notified Saugerties PD that we had them there
12 and we were awaiting their arrival.

13 Q. And you expected Saugerties Police to come to
14 Woodstock?

15 A. Yes.

16 Q. And that was based upon a transmission that you
17 had with the Saugerties Police or on information
18 that was relayed to you?

19 A. Information that was relayed to me.

20 Q. Who relayed the information to you?

21 A. Dispatcher France.

22 Q. When you arrived at the police station, were there
23 officers there besides yourself and Lane?

24 A. Not to my knowledge.

25 Q. When you placed the Liptons under arrest and you

1 JOHN WOOTON

2 brought them to the Woodstock Police station, what
3 was it that you understood they were being
4 arrested for?

5 A. A complaint in Saugerties.

6 Q. For what you believed to be trespassing?

7 A. Some sort of trespass, yes.

8 Q. Did you understand them to be arrested for
9 anything other than that?

10 A. No.

11 Q. At that time as a police officer, did you have an
12 understanding as to whether you could arrest an
13 individual for a violation as opposed to a crime
14 that was committed outside of your jurisdiction?

15 A. Do I now?

16 Q. Did you have an understanding back then as to
17 whether or not you, as a police officer of the
18 Town of Woodstock, had the authority to arrest
19 someone for a violation as opposed to a crime that
20 was committed outside of the Town of Woodstock?

21 A. There was no question.

22 Q. When you say "there was no question," do you mean
23 that you had an understanding as to whether you
24 could or you couldn't?

25 A. Yes.

1 JOHN WOOTON

2 Q. What was your understanding?

3 A. If there was a crime committed that I could
4 proceed with the arrest.

5 Q. How about if it were a violation?

6 A. No.

7 Q. You would not be able to proceed; correct?

8 A. Correct.

9 Q. When you left with the Liptons under arrest, did
10 you know whether or not the offense that they were
11 being arrested for was a crime or a violation?

12 A. No.

13 Q. Did there come a time when you learned that the
14 offense that the Liptons were being charged with
15 from Saugerties was trespass as a violation?

16 A. Was there a time?

17 Q. Yes, that you learned that.

18 A. Yes.

19 Q. When was that?

20 A. After one of the representatives from Saugerties
21 PD showed up.

22 Q. Who was the representative from the Saugerties PD
23 who showed up?

24 A. Actually, I don't even know. He was a sergeant.
25 I don't know the gentleman.

1 JOHN WOOTON

2 Q. How long a period of time was it from the time
3 that you arrived at the Woodstock Police station
4 until the time that the Saugerties representative
5 showed up?

6 A. I have no idea.

7 Q. Was it more or less than a half hour?

8 A. I have no idea.

9 Q. During that period of time, however long it was,
10 did you measure the gun that was in the Liptons'
11 possession?

12 A. Yes.

13 Q. So you measured the gun before the Saugerties
14 representative showed up?

15 A. I'm not sure, probably.

16 Q. Would there be any document that would refresh
17 your recollection?

18 A. I don't know.

19 Q. When you measured the gun, who else was in the
20 police station?

21 A. Officer Lane.

22 Q. Was there anybody else besides yourself, Officer
23 Lane and the Liptons?

24 A. No.

25 Q. Was George France there?

1 JOHN WOOTON

2 A. Yes.

3 Q. Was he in the same room as you when you measured
4 the gun?

5 A. No.

6 Q. Incidentally, were you the one who actually did
7 the measuring of the gun?

8 A. Yes.

9 Q. When you measured the gun, did you make a
10 determination as to whether or not the length of
11 the gun was legal?

12 A. Yes.

13 Q. What was the determination that you made?

14 A. That it was not legal.

15 Q. Did there come a time later that you learned that
16 your determination was incorrect?

17 A. Yes.

18 Q. When was it that you learned that your
19 determination that the gun length was not legal
20 was incorrect?

21 A. The next day.

22 Q. Who was it that informed you that your
23 determination was incorrect?

24 A. Sergeant Van Debogart.

25 Q. What was it that Van Debogart said to you

1 JOHN WOOTON

2 concerning your determination that the gun was of
3 illegal length?

4 A. He called me up and said that it was a legal gun.

5 Q. That it was legal?

6 A. Yes.

7 Q. Did he explain to you why it was that you were in
8 error?

9 A. No.

10 Q. When you determined that the gun was not of legal
11 length, did you make that determination based upon
12 the measurement that you conducted?

13 A. I didn't make a determination at that point.

14 Q. Well, did you find out how it was that you made
15 the mistake; did you find out what you did wrong?

16 A. Yes.

17 Q. What was it that you did wrong?

18 A. The tape I used is something I'm not familiar with
19 and it -- I mean, you would have to look at the
20 tape, but it's like a surveyor's tape.

21 Q. Do you still have that tape?

22 A. Yes.

23 Q. Is it here today?

24 A. I believe it is.

25 MR. ISSEKS: Is the tape here?

1 JOHN WOOTON

2 MR. POSNER: Or a facsimile thereof
3 (handing).

4 MR. ISSEKS: Do you have any
5 objection to that tape being marked?

6 MR. POSNER: I think it's still in
7 use. This is a generic tape measure.

8 MR. ISSEKS: Let's go off the record
9 for a moment.

10

11 (Off-the-record discussion)

12

13 MR. ISSEKS: Back on the record. Let
14 the record reflect that what has been produced by
15 counsel is a surveyor's tape indicating that it's
16 a 100' long Master Mechanic, Professional MMP100.

17 Q. Officer Wooton, can you explain what it is about
18 this tape that caused you to make an incorrect
19 determination as to the length of the gun that you
20 measured?

21 A. Yes, it's marked as 1'1", 1'2" versus 13", 14".
22 In other words, I mistook the 1'2", which would be
23 14" as 12" or something like that (indicating).

24 Q. So you're saying that you misread the numbers on
25 the tape?

1 JOHN WOOTON

2 A. Yes.

3 Q. After you had incorrectly measured the length of
4 the gun, did you sign a complaint charging the
5 Liptons with unlawful possession of a weapon?

6 A. Yes.

7 Q. And you based that upon your incorrect
8 measurement; correct?

9 A. Well, no, I based it on what I thought was a
10 correct measurement.

11 Q. Which turned out to be incorrect.

12 A. Right.

13 Q. Did there come a time when the Liptons were
14 arraigned on the weapons charge?

15 A. Yes.

16 Q. And they were arraigned before a Woodstock judge?

17 A. Yes.

18 Q. Who was that?

19 A. Richard Husted.

20 Q. At what time were they brought before Judge
21 Husted?

22 A. I would have to refer to the document, I don't
23 know.

24 Q. What would the document be that you would refer
25 to?

1 JOHN WOOTON

2 A. The arrest record.

3 Q. I'm going to show you a portion of the Defendants'
4 Response to Plaintiffs' Demand for Production of
5 Documents that was provided to plaintiffs' counsel
6 by your attorney, Mr. Posner, and I'm going to
7 direct your attention to what looks like a
8 computer generated document with the title "New
9 York State Incident Report."

10 Is that the document that you're referring to
11 that might refresh your recollection?

12 A. No.

13 Q. Would you please look through the Defendant's
14 Response to Plaintiffs' Demand for Production of
15 Documents and see if any one of those documents is
16 the arrest record that would refresh your
17 recollection as to when the Liptons were brought
18 to Justice Husted?

19 A. Yes (indicating).

20 MR. ISSEKS: Let the record reflect
21 that the witness has identified the document that
22 has at the top "New York State Arrest Report" on
23 it.

24 Q. In looking at that document, Officer, is your
25 memory refreshed as to when the Liptons were

1 JOHN WOOTON

2 brought to Justice Husted for arraignment?

3 A. Yes.

4 Q. When was it?

5 A. The time or date?

6 Q. The time that they were booked.

7 A. 8:00 p.m.

8 Q. On February 14th?

9 A. Yes.

10 MR. POSNER: He's reading from the
11 report, so you may ask him if it refreshes his
12 recollection.

13 MR. ISSEKS: That's what I asked him.

14 MR. POSNER: Maybe I missed that.

15 MR. ISSEKS: That's all right.

16 Q. Do you recall how long the Liptons were in the
17 police station from the time that you brought them
18 there from the Mobil station to the time that they
19 were brought to the judge for arraignment?

20 A. Off the top of my head, no.

21 Q. Can you approximate how long it was?

22 A. A few hours.

23 Q. During that few hour period of time -- again we
24 are approximating here -- had the Liptons been
25 taken anywhere away from the Woodstock Police

1 JOHN WOOTON

2 station or did they remain there that entire time?

3 A. They remained there.

4 Q. During that period of time while they were in the
5 Woodstock Police station before arraignment, did
6 either one of the Liptons tell you or any other
7 officer there that the gun was legal and that it
8 was not shorter than the legal length?

9 A. Yes.

10 Q. Which one; Ron, Brett or both?

11 A. Ronald.

12 Q. Did you say anything in response when he told you
13 that?

14 A. I advised him that I measured it and I found it to
15 be illegal.

16 Q. Did he ask you to measure it again?

17 A. Not that I'm aware of.

18 Q. Did you have any conversations with any officer at
19 the station concerning your measurement of the gun
20 prior to the Liptons being arraigned on the
21 weapons possession charge?

22 A. Yes.

23 Q. With whom did you speak?

24 A. Officer Lane.

25 Q. What did you say to Lane and what did he say to

1 JOHN WOOTON

2 you on that subject?

3 A. Officer Lane said that it appeared to him to be a
4 legal gun, a legal weapon.

5 Q. That it was legal?

6 A. At first look from just looking at it, yes.

7 Q. Did he say that to you?

8 A. Yes.

9 Q. What did you say in response to him?

10 A. I measured it again and I said, Show me something
11 different that it's not or that it's legal.

12 Q. Did you measure it for Lane to observe the
13 measurement?

14 A. Yes.

15 Q. Did Lane agree with you that it was not the legal
16 length?

17 A. Yes.

18 Q. So is it fair to say then that Lane made the same
19 mistake that you made with respect to the
20 numbering on the tape measure?

21 A. Yes.

22 Q. Did you point out to Lane the way in which you
23 were reading the tape measure?

24 A. I don't understand your question.

25 Q. Well, you made a mistake as to the numbering on

1 JOHN WOOTON

2 the tape measure and that mistake is what led you
3 to believe that the gun which was long enough
4 wasn't long enough; correct?

5 A. Yes.

6 Q. Did you point out to Lane when you measured the
7 gun for him how you were reading the tape measure?
8 Did you point out a number and say, See this is
9 how long it is or did he just look at the tape
10 measure up against the gun barrel?

11 A. As far as I know, he just looked at the tape. We
12 didn't know we were reading it wrong.

13 Q. So as far as you know, Lane similarly read the
14 tape measure wrong in the same way that you read
15 it wrong without you communicating your reading of
16 it to him?

17 A. Yes.

18 Q. Did you have any conversations with any officer
19 other than Lane concerning the length of the gun?

20 A. No.

21 Q. Did there come a time when Chief Edwin Brewster
22 came to the police station while the Liptons were
23 there before arraignment?

24 A. Yes.

25 Q. How much time elapsed from the time that the

1 JOHN WOOTON

2 Liptons were brought to the station to the time
3 that Brewster arrived?

4 A. I have no idea.

5 Q. Was it more or less than an hour?

6 A. I have no idea.

7 Q. Did you have any discussions with Brewster during
8 that period of time while the Liptons were there
9 before arraignment?

10 A. Just to advise him of what we were doing.

11 Q. Did you tell Brewster that you were charging the
12 Liptons with criminal possession of a weapon?

13 A. Yes.

14 Q. Did you tell Brewster what you based that charge
15 upon?

16 A. Yes.

17 Q. Did you tell Brewster that you measured the
18 weapon?

19 A. Yes.

20 Q. Did Brewster say anything to you?

21 A. No.

22 Q. Did either Ron or Brett Lipton have any
23 conversations with Chief Brewster while at the
24 station?

25 A. I don't know.

1 JOHN WOOTON

2 Q. Chief Brewster had an office in the station;
3 correct?

4 A. Yes.

5 Q. He had his own chief's office?

6 A. Yes.

7 Q. Was the chief in his office during the time that
8 the Liptons were there?

9 A. Was he there the whole time?

10 Q. Was there any time when he was in his own office?

11 A. I would imagine so, yes.

12 Q. Do you know if either one of the Liptons went into
13 Chief Brewster's office?

14 A. I wouldn't know.

15 Q. You wouldn't know?

16 A. No.

17 Q. Do you know the circumstances under which Sergeant
18 Van Debogart measured the gun the next day?

19 A. The circumstances?

20 Q. Yes.

21 A. No, he just stated that he remeasured it.

22 Q. Do you know what caused him to remeasure it?

23 A. No.

24 Q. Do you know when he remeasured it?

25 A. No.

1 JOHN WOOTON

2 Q. When he remeasured the gun and informed you that
3 you were wrong when you determined that the gun
4 was not legal, did you do anything to inform
5 Justice Husted of that fact?

6 A. Did I?

7 Q. Yes.

8 A. No.

9 Q. Did you ask that anyone on your behalf inform
10 Justice Husted of that fact?

11 A. No.

12 Q. Did you take any measures at that time to withdraw
13 the charge that you had filed against the Liptons
14 of criminal possession of a weapon?

15 A. No.

16 Q. Was there a reason why you did not?

17 A. Because Sergeant Van Debogart said it was being
18 taken care of.

19 Q. Did Sergeant Van Debogart tell you how it was
20 being taken care of?

21 A. He called the District Attorney's office or
22 someone called the District Attorney's office.

23 Q. On the night before when the Liptons were taken
24 before the judge to be arraigned on a weapons
25 charge and the judge set bail, do you recall what

1 JOHN WOOTON

2 he set bail at?

3 A. I believe it was \$20,000.

4 Q. For each one of them?

5 A. Yes.

6 Q. Did you make any statement to the judge concerning
7 the setting of bail before he set it?

8 A. No.

9 Q. Do you know if any officer of the police
10 department, including the chief, said anything to
11 the judge concerning the subject of bail before
12 the judge set bail?

13 A. No.

14 Q. You don't know?

15 A. No, I did not hear anyone do that.

16 Q. Do you know what it was that the judge based his
17 bail determination on?

18 MR. POSNER: Objection. You can
19 answer if you know; if the judge told you.

20 A. I don't know for sure, no.

21 Q. Did you receive any information from any source as
22 to what it was that the judge based his
23 determination on?

24 A. No.

25 Q. While the Liptons were in the police station, were

1 JOHN WOOTON

2 they handcuffed to a wall?

3 A. Yes.

4 Q. Did they remain handcuffed to a wall throughout
5 the entire time?

6 A. No.

7 Q. How many occasions were there when they were not
8 handcuffed to the wall?

9 A. Several.

10 Q. What were the reasons for those several occasions?

11 A. They went to the bathroom, they were
12 fingerprinted, I believe an ambulance was called
13 for Ronald and for the normal processing.

14 Q. Was either Lipton strip-searched?

15 A. No.

16 Q. Was either Lipton told to remove his clothing?

17 A. No.

18 Q. Were you in the police station throughout the
19 entire time that the Liptons were there?

20 A. Yes.

21 Q. So is it correct then that if they had been
22 strip-searched, you would have known about it?

23 A. Yes.

24 Q. How long did the representative from Saugerties
25 remain at the police station?

1 JOHN WOOTON

2 A. I'm not sure.

3 Q. Did that representative from Saugerties have a
4 complaint from the Town of Saugerties against the
5 Liptons?

6 A. Yes.

7 Q. Did you see it?

8 A. No.

9 Q. Were there any other individuals coming into the
10 police station during the time that the Liptons
11 were there other than yourself, Lane, France,
12 Brewster and the representative of the Saugerties
13 Police Department?

14 A. Yes.

15 Q. Who else?

16 A. Our ambulance squad.

17 Q. How many people from the ambulance squad came in?

18 A. I don't remember, probably at least three that I
19 recall.

20 Q. Do you know their names?

21 A. No, I do not. I don't remember who it was.

22 Q. Did the Liptons ask you for anything such as food
23 or the ability to go to the bathroom or for any
24 other kind of amenities or care that you did not
25 provide to them?

1 JOHN WOOTON

2 A. That I did not provide to them, no.

3 MR. ISSEKS: Let me have one second.

4

5 (Break in the proceeding)

6

7 Q. I have just a couple more questions, Officer.

8 A. Okay.

9 Q. Do the Town of Woodstock police officers ever
10 conduct strip-searches of people who are arrested?

11 A. No.

12 Q. Never?

13 A. Not that I'm aware of, no.

14 Q. Have you ever had a lawsuit brought against you
15 for any conduct that you allege to have engaged in
16 as a police officer?

17 MR. POSNER: Objection.

18 A. No.

19 Q. Have you ever been the subject of any disciplinary
20 proceeding?

21 MR. POSNER: Objection. You can
22 answer.

23 A. No.

24 MR. ISSEKS: I have no further
25 questions.

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(The Examination Before Trial of

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JOHN WOOTON concluded at 11:37 a.m.)

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STATE OF NEW YORK

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COUNTY OF _____

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I have read the foregoing record of my

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testimony taken at the time and place noted in the

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heading hereof, and I do hereby acknowledge it to

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be a true and correct transcript of same.

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JOHN WOOTON

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Sworn to before me this

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_____ day of _____, 2002.

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NOTARY PUBLIC

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C E R T I F I C A T I O N

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Kimberly Burke

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KIMBERLY BURKE

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JOHN WOOTON

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\$20,000 - direction

| | | | | | | | | | |
|-----------------|-------|-------------------|------------|----------------|-------------------|------------|-------|--------------------|-------|
| \$20,000 [1] | 55:4 | advise [1] | 52:11 | 54:23 | care [3] | 54:19 | 54:21 | conversations [10] | |
| -against [1] | 1:5 | advised [2] | 31:17 | Attorneys [2] | 57:25 | | | 27:20 32:21 37:7 | |
| 00 [4] | 1:5 | 49:15 | | 2:14 | carrying [1] | 28:25 | | 37:18 37:21 38:21 | |
| 4:20 | 48:8 | afternoon [2] | 5:7 | authority [1] | caused [7] | 15:14 | | 38:25 49:19 51:19 | |
| 1'1 [1] | 45:22 | 5:15 | | Avenue [2] | 17:4 17:9 | 17:15 | | 52:24 | |
| 1'2 [2] | 45:22 | again [6] | 7:19 10:9 | 2:16 | 19:23 45:19 | 53:23 | | correct [11] | 14:14 |
| 10 [1] | 1:14 | 16:6 48:24 | 49:17 | awaiting [1] | certify [1] | 60:8 | | 17:22 33:6 | 41:8 |
| 100' [1] | 45:17 | 50:11 | | aware [3] | charge [5] | 46:15 | | 41:9 46:9 | 46:11 |
| 10940 [2] | 2:5 | against [8] | 32:11 | 49:18 58:14 | 49:22 52:15 | 54:14 | | 51:5 53:4 | 56:22 |
| 2:7 | | 32:23 33:3 | 33:14 | away [3] | 55:2 | | | 59:14 | |
| 11 [2] | 4:20 | 51:11 54:14 | 57:5 | 49:2 | charged [2] | 33:15 | | counsel [6] | 2:13 |
| 115 [2] | 1:15 | 58:15 | | bail [6] | 41:15 | | | 2:18 3:6 | 3:21 |
| 12 [1] | 45:24 | agency [1] | 36:8 | 55:8 55:12 | charging [2] | 46:5 | | 45:16 47:6 | |
| 12212 [1] | 2:17 | agree [1] | 50:16 | 55:18 | 52:12 | | | COUNTY [1] | 59:8 |
| 12401 [1] | 1:24 | AGREED [3] | 3:5 | bar [2] | check [4] | 17:23 | | couple [3] | 7:12 |
| 12602 [1] | 2:11 | 3:15 3:24 | | barrel [1] | 18:6 18:8 | 38:3 | | 7:13 58:8 | |
| 13 [1] | 45:22 | Albany [1] | 2:17 | base [3] | chief [7] | 1:7 51:22 | | course [1] | 35:9 |
| 14 [2] | 45:22 | ALEX [1] | 2:6 | 32:16 | 52:24 53:3 | 53:8 | | Court [2] | 1:2 |
| 14th [7] | 4:17 | allege [1] | 58:16 | based [9] | 53:14 55:11 | | | 60:6 | |
| 5:15 | 9:10 | alleged [1] | 30:16 | 34:12 39:17 | chief's [1] | 53:6 | | covers [1] | 21:4 |
| 11:16 | 48:9 | alone [1] | 25:2 | 46:8 46:10 | chose [1] | 15:24 | | crime [5] | 23:12 |
| 15085 [1] | 2:16 | along [1] | 38:19 | 55:17 55:23 | circumstances [2] | | | 40:14 40:20 | 41:4 |
| 15th [1] | 1:13 | ambulance [3] | 56:13 | bathroom [2] | 53:18 53:20 | | | 41:12 | |
| 1990 [2] | 4:11 | 57:17 57:18 | | 57:24 | Civ [1] | 1:5 | | criminal [2] | 52:13 |
| 1999 [3] | 4:17 | amenities [1] | 57:25 | bay [1] | clothing [1] | 56:17 | | 54:15 | |
| 5:15 | | answer [2] | 55:20 | begun [1] | Co-Counsel [2] | 2:4 | | custody [1] | 36:13 |
| 20 [1] | 1:14 | 58:23 | | behalf [1] | 2:6 | | | D [1] | 2:18 |
| 2002 [3] | 1:14 | appeared [1] | 50:4 | behind [3] | coming [1] | 57:10 | | D'AMELIA [1] | 2:18 |
| 60:20 | | approach [3] | 10:4 | 6:15 9:23 | commencing [1] | 1:14 | | dangerous [1] | 28:14 |
| 3 [1] | 4:20 | 26:3 26:5 | | belief [2] | committed [5] | 23:12 | | dangerousness [2] | |
| 30 [6] | 5:6 | approached [7] | 6:18 | 60:12 | 33:19 40:15 | 40:21 | | date [1] | 48:6 |
| 5:23 | 9:5 | 29:14 29:18 | 29:23 | best [2] | 41:4 | | | Dated [1] | 60:20 |
| 16:23 | | 30:25 31:5 | 31:8 | better [1] | communicating [1] | | | DAVID [1] | 2:12 |
| 302 [1] | 2:16 | approximate [1] | 48:22 | between [3] | 51:16 | | | Debogart [5] | 43:25 |
| 3116 [1] | 3:22 | approximating [1] | 48:25 | 10:2 13:13 | communication [9] | | | 44:2 53:19 | 54:18 |
| 3117 [1] | 3:22 | area [3] | 8:16 11:14 | black [1] | 11:18 12:23 | 21:16 | | 54:20 | |
| 319 [1] | 1:5 | 16:21 | | booked [1] | 22:21 23:19 | 25:4 | | decided [1] | 16:8 |
| 331-4020 [1] | 1:24 | armed [1] | 30:23 | Box [2] | 25:9 25:11 | 25:22 | | deemed [1] | 3:21 |
| 37 [1] | 59:5 | arraigned [4] | 46:15 | Break [1] | complaint [13] | 30:15 | | Defendant [1] | 1:13 |
| 4 [6] | 5:6 | 46:17 49:21 | 54:25 | Brett [2] | 32:11 32:22 | 33:3 | | Defendant's [1] | 47:14 |
| 5:23 | 9:5 | 48:3 | | 2:21 5:2 | 33:7 33:11 | 33:13 | | Defendants [3] | 1:9 |
| 16:23 | | arraignment [5] | 48:3 | 5:14 5:21 | 33:15 33:21 | 33:22 | | 2:9 2:14 | |
| 41 [1] | 2:7 | 48:20 49:6 | 51:24 | 9:22 10:21 | 40:6 46:5 | 57:5 | | Defendants' [1] | 47:4 |
| 4th [1] | 60:20 | 52:10 | | 12:14 13:5 | complete [1] | 60:11 | | Demand [2] | 47:5 |
| 509 [1] | 2:11 | arrangements [1] | 36:15 | 23:6 29:21 | completed [1] | 18:12 | | 47:15 | |
| 6 [1] | 2:4 | arrest [10] | 31:20 | 32:22 34:2 | comply [1] | 20:22 | | department [13] | 1:7 |
| 63 [1] | 2:10 | 33:11 40:2 | 40:13 | 37:8 49:11 | computer [1] | 47:9 | | 4:9 4:13 | 9:18 |
| 8 [1] | 48:8 | 40:19 41:5 | 41:10 | Brewster [13] | concerning [9] | 9:6 | | 14:24 21:5 | 21:6 |
| 845 [1] | 1:24 | 47:3 47:17 | 47:23 | 2:9 2:22 | 11:20 37:19 | 39:6 | | 21:17 26:12 | 36:16 |
| a.m. [2] | 1:14 | 48:3 | | 52:4 52:8 | 44:3 49:20 | 51:20 | | 38:14 55:11 | 57:14 |
| ability [1] | 57:24 | arrested [5] | 34:9 | 52:15 52:18 | 55:7 55:12 | | | described [1] | 8:12 |
| able [3] | 8:21 | 40:5 40:9 | 41:12 | 52:24 53:3 | concluded [1] | 59:5 | | details [1] | 20:2 |
| 41:8 | | 58:11 | | Brewster's [1] | conduct [2] | 58:11 | | determination [11] | |
| accurate [2] | 12:9 | arrival [1] | 39:13 | broached [1] | 58:16 | | | 43:11 43:14 | 43:17 |
| 60:11 | | arrive [1] | 24:20 | brought [8] | conducted [1] | 44:13 | | 43:20 43:24 | 44:3 |
| accused [1] | 33:18 | arrived [11] | 25:5 | 46:21 47:18 | contact [3] | 10:2 | | 44:12 44:14 | 45:20 |
| acknowledge [1] | | 25:19 25:22 | 27:4 | 48:18 48:20 | contacting [1] | 23:22 | | 55:18 55:24 | |
| 59:13 | | 27:7 27:12 | 28:17 | 58:15 | continue [2] | 11:25 | | determined [2] | 44:11 |
| action [1] | 3:14 | 39:10 39:23 | 42:4 | Burke [4] | 12:7 | | | 54:4 | |
| addition [2] | 3:11 | 52:4 | | 2:14 60:6 | continued [1] | 12:3 | | different [2] | 21:3 |
| 17:6 | | arriving [2] | 25:25 | 60:3 | controlled [1] | 3:23 | | 50:12 | |
| address [1] | 18:19 | 26:5 | | C [3] | conversation [2] | 31:7 37:24 | | direct [2] | 21:16 |
| | | attention [1] | 47:8 | 3:22 | | | | 47:8 | |
| | | attorney [1] | 47:7 | C.P.L.R. [2] | | | | direction [1] | 8:18 |
| | | Attorney's [2] | 54:22 | car [5] | | | | | |
| | | | | 22:17 24:14 | | | | | |

JOHN WOOTON**Condenselt™****directions - known**

| | | | | |
|--|--|--|--|---|
| directions [9] 7:9 7:15 7:18 7:21 8:7 8:8 8:14 10:7 17:7 | Edwin [4] 1:6 2:9 2:22 51:22 effect [1] 30:21 either [16] 5:9 11:19 12:15 12:20 28:4 29:6 32:21 34:7 37:7 37:18 38:21 49:7 52:23 53:13 56:15 56:17 elapsed [2] 13:13 52:2 employed [3] 4:8 4:10 4:15 en [2] 36:13 38:22 enclosed [1] 36:25 ended [1] 35:7 engaged [1] 58:16 entire [3] 49:3 56:6 56:20 error [1] 44:9 ESQ [4] 2:3 2:6 2:12 2:18 establishment [3] 22:3 22:4 22:6 estimate [1] 22:18 exactly [3] 19:16 27:25 28:6 examination [9] 1:11 3:10 3:12 3:16 3:19 3:20 3:25 4:7 59:4 examined [2] 3:17 4:5 except [1] 3:9 exited [5] 10:3 24:10 24:14 24:19 32:25 exiting [2] 33:7 33:10 expected [1] 39:14 explain [2] 44:8 45:18 exposed [2] 36:25 37:2 Extension [1] 2:16 eye [3] 10:2 12:20 22:25 F [1] 60:3 facing [3] 22:10 23:3 27:18 facsimile [1] 45:3 fact [3] 26:14 54:6 54:11 failure [2] 3:11 3:19 fair [1] 50:19 familiar [1] 44:19 family [1] 9:12 far [12] 10:23 12:7 15:6 22:13 22:17 26:4 28:20 28:21 30:6 32:15 51:12 51:14 February [6] 4:17 5:3 5:15 9:10 | 10:9 48:9 feet [1] 10:25 few [2] 48:23 48:24 filed [1] 54:14 filing [1] 3:25 fingerprinted [1] 56:13 finished [1] 8:16 first [7] 4:4 5:17 13:4 16:22 30:12 31:24 50:7 five [3] 24:15 24:19 34:25 floor [2] 36:23 36:23 follows [1] 4:5 food [1] 57:23 foregoing [2] 59:11 60:10 form [2] 3:9 12:24 forth [1] 31:16 forty [3] 10:12 10:25 22:20 found [3] 17:20 36:20 49:15 four [3] 31:10 31:11 31:22 France [20] 18:3 18:4 18:16 18:21 20:19 21:22 23:21 23:24 25:21 26:20 26:22 26:23 28:8 28:10 28:13 28:20 28:22 39:22 43:2 57:12 frequencies [2] 21:3 21:10 frequency [1] 21:9 front [1] 7:5 gas [2] 10:19 14:2 generated [1] 47:9 generic [1] 45:8 gentleman [1] 42:2 George [15] 18:3 18:4 18:7 18:16 18:21 18:25 20:19 21:22 23:21 23:24 25:21 26:20 26:22 28:8 43:2 GERALD [1] 2:18 gesture [1] 9:22 girlfriend [2] 8:3 8:5 girlfriend's [3] 7:24 17:11 17:15 given [1] 10:7 Glasco [5] 5:19 5:23 6:2 16:20 18:13 Green [2] 1:15 1:23 Greg [3] 1:7 2:15 2:23 gun [29] 36:20 37:8 37:19 37:22 37:25 38:3 42:11 42:14 | 42:20 43:5 43:8 43:10 43:12 43:20 44:3 44:5 44:11 45:20 46:5 49:8 49:20 50:5 51:4 51:8 51:11 51:20 53:19 54:3 54:4 half [2] 10:12 42:8 handcuffed [3] 56:3 56:5 56:9 handcuffs [6] 33:24 34:2 34:4 34:7 34:23 35:24 handing [1] 45:4 head [1] 48:21 heading [4] 11:7 11:9 59:13 60:10 hear [13] 19:22 20:2 20:11 20:14 21:8 23:9 23:11 24:3 24:5 24:7 33:6 39:5 55:16 heard [9] 5:12 9:9 9:12 14:10 14:12 15:13 19:12 21:6 36:7 hearing [1] 21:14 held [1] 1:13 help [1] 14:17 hereby [4] 3:5 4:2 59:13 60:8 herein [1] 60:9 hereof [2] 59:13 60:10 hereto [1] 3:7 Hill [2] 10:15 11:21 himself [1] 8:22 hope [1] 20:7 hour [4] 10:12 42:8 48:24 52:6 hours [2] 13:17 48:23 house [3] 7:24 17:11 17:15 Hulbert [3] 1:7 2:15 2:23 Husted [6] 46:20 46:22 47:19 48:3 54:6 54:11 idea [6] 13:16 19:17 42:7 42:9 52:5 52:7 identified [1] 47:22 illegal [2] 44:4 49:16 imagine [1] 53:12 immediately [1] 6:16 incident [4] 16:4 24:8 39:7 47:10 Incidentally [1] 43:7 including [2] 3:8 55:11 incorrect [6] 43:17 43:21 43:24 45:19 46:8 46:12 incorrectly [1] 46:4 | indicating [4] 36:24 45:16 45:24 47:20 indication [1] 23:13 individual [1] 40:14 individuals [2] 20:9 57:10 inference [1] 17:19 inform [3] 23:21 54:5 54:10 information [25] 9:6 15:23 16:7 18:17 18:20 19:2 20:5 20:11 20:20 21:24 26:10 26:11 26:19 28:7 28:10 28:13 28:16 29:2 32:16 33:17 39:5 39:18 39:20 39:21 55:22 informed [5] 20:8 31:8 34:8 43:23 54:3 informing [2] 31:13 34:20 inquiring [1] 17:6 inside [2] 11:2 22:15 insisted [1] 31:16 Instinct [2] 15:20 15:21 interested [1] 20:10 involved [1] 16:9 ISSEKS [13] 2:3 4:7 19:8 23:18 45:2 45:5 45:9 45:14 47:21 48:14 48:16 58:4 58:25 issuing [4] 6:23 6:24 18:12 18:14 James [1] 9:9 John [7] 1:6 1:7 1:13 2:9 4:3 59:5 59:19 JR [1] 2:18 judge [11] 46:17 46:21 48:20 54:25 55:2 55:7 55:12 55:13 55:17 55:20 55:23 jurisdiction [1] 40:15 Justice [4] 47:19 48:3 54:6 54:11 Kevin [9] 1:6 2:9 2:22 24:23 25:4 25:11 25:18 25:22 25:25 Kimberly [3] 1:16 60:6 60:17 kind [2] 22:6 57:25 Kingston [2] 1:15 1:24 knew [3] 15:16 16:12 20:9 knowledge [3] 15:18 39:25 60:12 known [1] 56:23 |
|--|--|--|--|---|

JOHN WOOTON

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| | | | | | | | | | | | | | |
|--------------|-------|-------|---------------|-------|-------|-----------------|-------|-------|--------------------|-------|-----------------|-------|-------|
| L [3] | 2:12 | 2:20 | 33:24 | 34:2 | 35:9 | 50:11 | 51:7 | 52:18 | North [1] | 2:4 | 58:4 | | |
| 3:3 | | | 35:10 | 35:11 | 35:15 | 53:19 | | | NORTHERN [1] | | opposed [2] | 40:14 | |
| Lane [38] | 1:6 | | 35:23 | 37:8 | 52:23 | measurement [5] | | | 1:2 | | 40:20 | | |
| 2:9 | 2:22 | 24:23 | 56:15 | 56:17 | | 44:13 | 46:9 | 46:11 | Notary [6] | 1:16 | order [3] | 20:14 | 20:22 |
| 25:4 | 25:11 | 25:18 | Lipton's [1] | 8:22 | | 49:20 | 50:14 | | 3:17 | 3:18 | 21:11 | | |
| 25:22 | 25:22 | 26:4 | Liptons [73] | 10:6 | | measures [1] | 54:13 | | 59:25 | 60:7 | original [2] | 3:20 | |
| 27:4 | 27:7 | 27:12 | 10:8 | 10:13 | 10:18 | measuring [1] | 43:8 | | noted [2] | 59:12 | 3:25 | | |
| 28:9 | 28:16 | 29:6 | 11:20 | 11:24 | 13:10 | Mechanic [1] | 45:17 | | notified [1] | 39:12 | outside [2] | 40:15 | |
| 29:16 | 29:17 | 34:5 | 13:14 | 13:19 | 15:14 | meet [3] | 5:9 | 5:14 | November [1] | 60:20 | 40:21 | | |
| 34:7 | 35:21 | 37:17 | 15:25 | 16:2 | 16:9 | 36:15 | | | now [4] | 15:10 | own [3] | 24:24 | 53:6 |
| 37:21 | 37:24 | 39:24 | 16:9 | 19:10 | 19:12 | meeting [5] | 5:17 | | 25:17 | 40:16 | 53:11 | | |
| 42:22 | 42:24 | 49:25 | 22:10 | 22:13 | 22:21 | 7:10 | 8:12 | 9:5 | number [2] | 18:9 | P [4] | 2:2 | 2:2 |
| 50:2 | 50:4 | 50:13 | 24:8 | 24:18 | 26:5 | 9:10 | | | 51:9 | | 2:20 | 3:3 | |
| 50:16 | 50:19 | 50:23 | 26:17 | 26:25 | 27:18 | memory [1] | 48:2 | | numbering [2] | 50:21 | p.m [3] | 4:20 | 4:20 |
| 51:7 | 51:14 | 51:20 | 28:2 | 28:5 | 28:11 | met [8] | 4:25 | 5:20 | 51:2 | | 48:8 | | |
| 57:12 | | | 28:14 | 28:24 | 29:4 | 5:23 | 6:3 | 6:6 | numbers [1] | 45:25 | P.O [2] | 2:11 | 2:16 |
| Lane's [3] | 25:25 | | 29:14 | 29:18 | 29:23 | 9:15 | 10:13 | 10:16 | O [3] | 2:20 | 24:2 | 24:11 | 24:17 |
| 27:16 | 31:4 | | 32:12 | 33:4 | 33:14 | Middletown [2] | 2:5 | | 60:3 | | partially [1] | 37:2 | |
| lawsuit [2] | 5:2 | | 33:15 | 34:6 | 34:20 | 2:7 | | | object [2] | 3:8 | particular [1] | 17:21 | |
| 58:15 | | | 34:23 | 35:18 | 35:24 | might [5] | 20:9 | | 3:11 | | particulars [1] | 8:2 | |
| learned [8] | 8:24 | | 36:3 | 37:18 | 38:6 | 25:6 | 25:10 | 28:14 | observe [4] | 45:6 | parties [1] | 3:6 | |
| 26:16 | 32:22 | 33:13 | 38:22 | 39:6 | 40:2 | 47:12 | | | 55:19 | 58:18 | party [1] | 18:13 | |
| 41:14 | 41:18 | 43:16 | 41:10 | 41:15 | 42:24 | Mill [2] | 10:15 | 11:21 | 8:21 | 12:15 | pass [1] | 12:4 | |
| 43:19 | | | 46:6 | 46:14 | 47:18 | Millhill [1] | 11:15 | | observed [13] | 11:2 | passed [1] | 19:12 | |
| learning [1] | 33:2 | | 48:2 | 48:17 | 48:25 | mine [1] | 27:17 | | 11:15 | 11:21 | passenger's [1] | 27:17 | |
| least [1] | 57:19 | | 49:7 | 49:21 | 51:23 | minute [4] | 31:11 | 31:22 | 12:10 | 12:24 | patrol [7] | 4:22 | |
| leave [1] | 38:10 | | 52:3 | 52:9 | 52:13 | 31:11 | 31:22 | 38:18 | 13:13 | 13:19 | 4:23 | 6:7 | 10:17 |
| leaving [3] | 36:10 | | 53:9 | 53:13 | 54:14 | minutes [8] | 7:12 | | 15:25 | 37:8 | 14:10 | 35:4 | 35:6 |
| 36:17 | 37:22 | | 54:24 | 56:2 | 56:20 | 10:12 | 13:17 | 13:18 | observing [2] | 12:12 | patrolling [2] | 11:10 | |
| led [2] | 23:10 | 51:3 | 57:6 | 57:11 | 57:23 | 24:15 | 24:19 | 31:10 | 13:3 | | 11:11 | | |
| left [10] | 8:16 | 8:17 | Liptons' [1] | 42:11 | | 34:25 | | | occasion [2] | 13:14 | PD [10] | 19:16 | 23:9 |
| 10:6 | 16:20 | 36:2 | listening [1] | 28:19 | | misread [1] | 45:25 | | 13:15 | | 26:8 | 26:9 | 26:14 |
| 36:4 | 36:17 | 37:14 | LLP [1] | 2:8 | | missed [1] | 48:15 | | occasions [2] | 56:8 | 26:16 | 26:20 | 39:12 |
| 38:6 | 41:10 | | located [1] | 6:2 | | mistake [4] | 44:16 | | 56:11 | | 41:22 | 41:23 | |
| legal [15] | 38:3 | | location [5] | 6:25 | | 50:20 | 51:2 | 51:3 | occurrence [1] | 19:23 | people [4] | 16:13 | |
| 43:12 | 43:15 | 43:20 | 12:4 | 13:21 | 14:5 | mistook [1] | 45:23 | | October [1] | 1:13 | 26:15 | 57:18 | 58:11 |
| 44:5 | 44:6 | 44:11 | 15:17 | | | MMP100 [1] | 45:17 | | off [3] | 21:3 | perform [1] | 17:24 | |
| 49:8 | 49:9 | 50:5 | longer [1] | 13:6 | | Mobil [17] | 10:19 | | 48:21 | | period [14] | 7:13 | |
| 50:5 | 50:6 | 50:12 | look [4] | 44:20 | 47:14 | 15:3 | 15:15 | 16:2 | Off-the-record [1] | | 12:12 | 12:24 | 24:13 |
| 50:16 | 54:5 | | 50:7 | 51:10 | | 19:4 | 19:8 | 19:11 | 45:12 | | 24:16 | 31:11 | 31:22 |
| LEK [1] | 1:5 | | looked [1] | 51:12 | | 24:18 | 33:2 | 34:24 | offense [3] | 33:18 | 34:23 | 35:2 | 42:3 |
| length [9] | 43:11 | | looking [7] | 7:24 | | 36:4 | 36:17 | 37:14 | 41:11 | 41:15 | 42:10 | 48:24 | 49:5 |
| 43:20 | 44:4 | 44:12 | 17:11 | 17:14 | 19:17 | 37:22 | 38:6 | 39:7 | office [8] | 4:12 | 52:9 | | |
| 45:20 | 46:4 | 49:9 | 26:15 | 47:25 | 50:7 | 48:19 | | | 53:3 | 53:6 | person [3] | 6:24 | |
| 50:17 | 51:20 | | looks [1] | 47:8 | | moment [1] | 45:10 | | 53:11 | 53:14 | 7:3 | 8:25 | |
| lengths [1] | 22:17 | | lots [1] | 24:4 | | motion [1] | 3:13 | | 54:23 | | PHELAN [1] | 2:14 | |
| less [2] | 42:8 | 52:6 | MACK [1] | 2:8 | | move [2] | 3:9 | 3:12 | officer [27] | 1:8 | phone [12] | 10:19 | |
| license [6] | 16:16 | | manner [1] | 32:4 | | N [5] | 2:2 | 2:3 | 4:8 | 4:14 | 10:24 | 12:14 | 12:17 |
| 17:23 | 18:6 | 18:8 | marked [2] | 45:6 | | 2:20 | 3:3 | 60:3 | 5:24 | 11:14 | 12:25 | 13:4 | 15:4 |
| 18:9 | 18:17 | | 45:22 | | | name [4] | 8:5 | 18:3 | 24:20 | 24:23 | 20:23 | 23:4 | 29:19 |
| Lipton [69] | 1:3 | | Master [1] | 45:17 | | 18:19 | 22:4 | | 29:17 | 32:8 | 30:2 | 30:5 | |
| 1:3 | 2:21 | 2:21 | matter [2] | 13:8 | | names [2] | | 16:12 | 40:12 | 40:18 | place [5] | 30:17 | 31:20 |
| 5:2 | 5:2 | 5:9 | may [4] | 3:16 | 9:16 | 57:21 | | | 42:23 | 45:18 | 33:24 | 59:12 | 60:9 |
| 5:14 | 5:23 | 6:3 | 25:13 | 48:12 | | nature [1] | 19:22 | | 49:8 | 49:19 | placed [5] | 34:2 | |
| 6:6 | 6:13 | 7:7 | McCABE [1] | 2:8 | | needs [1] | 14:17 | | 50:4 | 51:19 | 34:4 | 34:6 | 35:4 |
| 7:14 | 8:9 | 8:11 | mean [6] | 14:16 | 14:18 | Never [1] | 58:13 | | 58:8 | 58:17 | 40:2 | | |
| 8:14 | 8:18 | 9:4 | 14:20 | 29:15 | 40:23 | New [12] | 1:2 | 1:15 | officers [3] | 36:16 | plaintiffs [4] | 1:4 | |
| 9:5 | 9:10 | 9:15 | 44:20 | | | 1:17 | 1:24 | 2:5 | 39:24 | 58:10 | 2:4 | 2:6 | 4:25 |
| 9:22 | 9:23 | 9:23 | means [1] | 14:17 | | 2:7 | 2:11 | 2:17 | offices [1] | 1:14 | plaintiffs' [3] | 47:5 | |
| 10:3 | 10:3 | 10:7 | measure [11] | 37:3 | | 47:9 | 47:23 | 59:7 | once [1] | 19:9 | 47:6 | 47:15 | |
| 10:19 | 10:21 | 10:23 | 42:11 | 45:8 | 49:17 | 60:7 | | | one [18] | 5:16 | plate [7] | 16:12 | 16:14 |
| 11:16 | 12:4 | 12:14 | 50:13 | 50:21 | 50:24 | next [4] | 27:17 | 32:5 | 12:16 | 12:17 | 16:15 | 16:16 | 16:19 |
| 12:14 | 12:25 | 13:4 | 51:3 | 51:8 | 51:11 | 43:22 | 53:19 | | 21:11 | 28:4 | 16:25 | 18:6 | |
| 13:22 | 13:24 | 15:3 | 51:15 | | | night [1] | 54:24 | | 38:8 | 38:21 | point [8] | 23:15 | 32:14 |
| 16:17 | 16:19 | 17:2 | measured [11] | 42:14 | | normal [1] | 56:14 | | 43:7 | 47:16 | 37:13 | 37:14 | 44:14 |
| 17:5 | 23:4 | 23:6 | 42:20 | 43:4 | 43:10 | | | | 49:11 | 53:13 | | | |
| 29:18 | 29:21 | 29:24 | 45:21 | 46:4 | 49:15 | | | | | | | | |
| 30:7 | 30:19 | 31:2 | | | | | | | | | | | |
| 31:5 | 31:7 | 32:2 | | | | | | | | | | | |
| 32:6 | 32:9 | 32:22 | | | | | | | | | | | |

JOHN WOOTON

CondensIt™

police - street

| | | | | | | | | | | | |
|------------------|-------|-------|------------------|-------|-------|---------------------|----------------|-------|-------|----------------------|---------------|
| 50:23 | 51:7 | 51:9 | 21:17 | 24:3 | 25:14 | representative [6] | 23:20 | 23:22 | 26:8 | 38:10 | |
| police [63] | 1:7 | | 25:19 | 36:7 | 36:10 | 41:23 42:5 42:15 | 26:9 | 26:12 | 26:14 | sitting [10] | 10:22 |
| 1:8 | 4:9 | 4:13 | 39:2 | 39:5 | | 56:25 57:4 57:13 | 26:16 | 26:20 | 26:25 | 12:15 | 12:17 13:5 |
| 4:14 | 9:18 | 11:14 | radioed [2] | | 19:15 | representatives [1] | 29:25 | 30:7 | 30:14 | 13:24 | 23:6 24:2 |
| 11:18 | 11:19 | 11:20 | 20:19 | | | 41:21 | 31:9 | 31:13 | 31:18 | 24:13 | 28:9 29:21 |
| 14:10 | 14:12 | 14:13 | radioing [1] | | 23:14 | request [1] | 32:9 | 34:11 | 34:14 | situated [1] | 35:3 |
| 14:16 | 14:19 | 14:20 | ran [1] | 17:23 | | reserved [2] | 36:16 | 39:12 | 39:14 | SMITH [1] | 2:6 |
| 14:23 | 19:13 | 21:4 | read [4] | 18:17 | 51:14 | 3:14 | 39:18 | 40:6 | 41:16 | someone [3] | 26:20 |
| 21:6 | 21:17 | 23:14 | 51:15 | 59:11 | | residence [2] | 41:21 | 41:23 | 42:5 | 40:20 | 54:23 |
| 23:22 | 24:20 | 26:12 | reading [5] | | 48:11 | 10:8 | 42:14 | 56:25 | 57:4 | somewhere [1] | 6:19 |
| 29:25 | 30:8 | 30:14 | 50:24 | 51:8 | 51:13 | respect [1] | 57:5 | 57:13 | | son [1] | 9:4 |
| 31:9 | 31:13 | 31:19 | 51:16 | | | respective [3] | saw [4] | 10:8 | 13:10 | sort [3] | 25:12 34:10 |
| 32:10 | 34:11 | 34:14 | reason [8] | | 14:7 | 27:21 | 16:22 | 19:10 | | 40:8 | |
| 36:8 | 36:16 | 37:6 | 16:25 | 25:25 | 29:12 | responding [1] | scene [9] | 24:20 | 25:5 | sounded [1] | 23:12 |
| 38:10 | 38:13 | 38:17 | 32:6 | 35:11 | 35:16 | response [5] | 25:19 | 25:23 | 26:2 | source [4] | 15:23 |
| 38:22 | 39:3 | 39:10 | 54:17 | | | 47:5 47:15 49:13 | 27:4 | 28:17 | 36:4 | 16:7 | 39:6 55:22 |
| 39:14 | 39:18 | 39:23 | reasons [1] | | 56:11 | 50:10 | 36:10 | | | speak [3] | 21:11 |
| 40:3 | 40:12 | 40:18 | receive [4] | | 15:23 | return [1] | SCOLAMIERO [1] | | | 21:13 | 49:24 |
| 42:4 | 42:21 | 48:18 | 16:7 | 28:13 | 55:22 | returned [4] | 2:14 | | | speaking [2] | 20:15 |
| 49:2 | 49:6 | 51:23 | received [7] | | 9:6 | 19:8 | search [1] | | 35:18 | 25:18 | |
| 55:10 | 56:2 | 56:19 | 28:16 | 33:17 | 36:5 | 33:2 | searched [2] | | 35:15 | specifically [1] | 34:12 |
| 57:2 | 57:11 | 57:14 | recollection [7] | | 25:8 | Richard [1] | 35:23 | | | split [1] | 38:9 |
| 58:10 | 58:17 | | 25:18 | 34:19 | 42:18 | ride [1] | searching [2] | | 35:7 | spoke [2] | 29:24 |
| portion [1] | 47:4 | | 47:12 | 47:18 | 48:13 | right [4] | 35:11 | | | 30:2 | |
| position [1] | 24:11 | | record [7] | | 45:9 | 46:13 | seat [3] | 35:14 | 36:21 | squad [2] | 57:17 |
| Posner [11] | 2:12 | | 45:14 | 45:15 | 47:3 | rights [2] | 36:22 | | | 57:18 | |
| 19:6 | 23:16 | 45:3 | 47:17 | 47:21 | 59:11 | 3:21 | seated [3] | | 27:21 | State [5] | 1:17 47:10 |
| 45:7 | 47:7 | 48:11 | 47:17 | 47:21 | 59:11 | road [4] | 27:24 | 32:18 | | 47:23 | 59:7 60:7 |
| 48:15 | 55:19 | 58:18 | recorded [1] | | 60:8 | 11:21 | second [8] | | 10:13 | statement [3] | 17:14 |
| 58:22 | | | refer [2] | 46:23 | 46:25 | 11:21 | 11:16 | 11:21 | 11:24 | 34:13 | 55:7 |
| possession [5] | 42:12 | | referring [3] | | 16:15 | ROBERT [1] | 12:10 | 12:13 | 13:14 | statements [3] | 17:5 |
| 46:6 | 49:22 | 52:13 | 35:8 | 47:11 | | Ron [33] | 58:4 | | | 17:6 | 17:9 |
| 54:15 | | | reflect [2] | | 45:15 | 5:23 | seconds [1] | | 13:8 | STATES [1] | 1:2 |
| Poughkeepsie [1] | 2:11 | | 47:21 | | | 6:3 | secure [1] | | 38:2 | station [41] | 10:20 |
| precipitated [1] | 16:11 | | reflected [1] | | 25:12 | 9:5 | see [6] | 8:18 | 26:14 | 14:2 | 15:3 15:15 |
| present [1] | 4:12 | | refresh [4] | | 25:7 | 9:23 | 38:3 | 47:16 | 51:9 | 16:2 | 19:4 19:9 |
| pretty [1] | 15:16 | | 42:17 | 47:12 | 47:17 | 10:7 | 57:8 | | | 19:11 | 21:4 24:18 |
| proceed [3] | 38:13 | | refreshed [1] | | 48:2 | 12:4 | separate [1] | | 27:14 | 33:2 | 34:24 36:4 |
| 41:5 | 41:8 | | refreshes [1] | | 48:12 | 13:4 | sergeant [5] | | 41:25 | 36:14 | 36:18 37:6 |
| proceeded [1] | 8:19 | | regarding [1] | | 24:7 | 23:3 | 43:25 | 53:18 | 54:18 | 37:14 | 37:22 38:6 |
| proceeding [4] | 39:2 | | relation [2] | | 6:13 | 30:7 | 54:20 | | | 38:17 | 38:23 39:3 |
| 39:7 | 58:6 | 58:21 | 27:16 | | | 31:7 | Service [2] | | 1:15 | 39:8 | 39:10 39:23 |
| proceedings [1] | 60:9 | | relative [1] | | 15:2 | 32:9 | 1:23 | | | 40:3 | 42:4 42:21 |
| processing [1] | 56:14 | | relay [2] | 20:5 | 20:11 | 52:23 | 55:2 | 55:3 | | 48:18 | 48:19 49:3 |
| produced [1] | 45:15 | | relayed [7] | | 8:9 | Ronald [10] | 55:8 | 55:13 | | 49:6 | 49:20 51:23 |
| Production [2] | 47:5 | | 20:21 | 21:25 | 26:19 | 2:21 | setting [1] | | 55:8 | 52:3 | 52:25 53:3 |
| 47:15 | | | 39:19 | 39:20 | 39:21 | 5:2 | several [2] | | 56:10 | 56:2 | 56:19 57:2 |
| Professional [1] | 45:17 | | remain [3] | | 49:3 | 9:22 | shall [4] | 3:13 | 3:21 | 57:11 | |
| provide [2] | 58:2 | | 56:5 | 57:2 | | 29:24 | 3:23 | 4:2 | | stationary [1] | 11:5 |
| 58:3 | | | remained [1] | | 49:4 | room [1] | shift [2] | 4:19 | 4:21 | stayed [1] | 27:10 |
| provided [4] | 3:7 | | remeasure [1] | | 53:23 | route [2] | shorter [1] | | 49:9 | stenographically [1] | 60:8 |
| 3:22 | 18:21 | 47:6 | remeasured [3] | | 53:22 | routine [2] | Shorthand [1] | | 1:16 | still [15] | 6:25 13:22 |
| Public [6] | 1:17 | | 53:25 | 54:3 | | 10:17 | shotgun [1] | | 35:14 | 13:24 | 14:2 21:21 |
| 3:17 | 3:18 | 4:4 | remember [3] | | 22:5 | Rules [1] | show [2] | 47:4 | 50:11 | 23:4 | 23:6 27:4 |
| 59:25 | 60:7 | | 57:19 | 57:22 | | run [4] | showed [4] | | 41:22 | 29:19 | 29:21 30:2 |
| pulled [3] | 6:5 | | remove [1] | | 56:17 | 16:19 | side [2] | 22:15 | 27:17 | 30:5 | 32:18 44:22 |
| 6:7 | 22:2 | | repeat [2] | | 7:19 | 18:8 | sign [1] | | 46:5 | 45:7 | |
| purported [1] | 28:23 | | report [4] | | 14:20 | running [1] | signed [8] | | 3:16 | STIPULATED [3] | 3:5 3:15 3:24 |
| purpose [2] | 26:4 | | 47:10 | 47:23 | 48:12 | RWS [1] | 32:11 | 32:23 | 33:3 | stop [2] | 6:4 12:2 |
| 33:10 | | | Reporter [2] | | 1:16 | 1:5 | 33:7 | 33:11 | 33:13 | stopped [7] | 9:23 |
| questions [2] | 58:8 | | 60:6 | | | S [5] | 33:22 | | | 22:8 | 22:10 22:13 |
| 59:2 | | | Reporting [2] | | 1:15 | 2:2 | similarly [1] | | 51:14 | 22:22 | 23:3 23:8 |
| R [3] | 2:2 | 2:20 | 1:23 | | | 2:20 | sit [1] | | 25:17 | stops [1] | 38:19 |
| 60:3 | | | | | | 3:3 | site [3] | | 10:7 | street [7] | 1:15 1:23 |
| radio [12] | 9:17 | | | | | 35:17 | | | | 2:4 | 2:10 22:2 |
| 20:14 | 20:18 | 20:24 | | | | Saugerties [57] | | | | | |
| | | | | | | 1:7 | | | | | |
| | | | | | | 1:8 | | | | | |
| | | | | | | 9:17 | | | | | |
| | | | | | | 11:20 | | | | | |
| | | | | | | 14:12 | | | | | |
| | | | | | | 15:12 | | | | | |
| | | | | | | 19:13 | | | | | |
| | | | | | | 20:6 | | | | | |
| | | | | | | 20:21 | | | | | |
| | | | | | | 21:11 | | | | | |
| | | | | | | 21:17 | | | | | |
| | | | | | | 23:9 | | | | | |
| | | | | | | 23:13 | | | | | |

JOHN WOOTON

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strike - yourself

| | | | | | | | | | |
|--------------------|-------|-------------------|-------|----------------|-------|-------|--------------|-------|-------|
| 22:16 | 22:23 | Town [15] | 1:6 | 7:4 | 7:8 | 8:22 | words [1] | 45:23 | |
| strike [2] | 3:9 | 1:7 | 1:8 | 9:24 | 10:4 | 10:22 | works [1] | 20:19 | |
| 3:12 | | 2:10 | 2:15 | 10:23 | 11:2 | 11:12 | write [1] | 18:23 | |
| strip-searched [2] | | 10:15 | 15:8 | 11:25 | 12:15 | 12:18 | Wolsen [20] | 7:25 | |
| 56:15 | 56:23 | 34:11 | 40:19 | 13:5 | 16:11 | 16:17 | 8:7 | 8:14 | 9:7 |
| strip-searches [1] | | 57:5 | 58:10 | 16:19 | 17:2 | 19:19 | 9:9 | 9:12 | 10:8 |
| 58:11 | | township [1] | 15:9 | 21:7 | 22:8 | 22:11 | 14:11 | 14:21 | 15:2 |
| subject [4] | 7:18 | traffic [1] | 6:4 | 22:14 | 22:22 | 23:3 | 15:8 | 16:5 | 16:10 |
| 50:3 | 55:12 | transcript [2] | 59:14 | 23:6 | 23:8 | 24:2 | 17:7 | 19:14 | 19:20 |
| subjects [3] | 15:16 | 60:11 | | 24:10 | 24:17 | 24:19 | 19:23 | 21:7 | 24:7 |
| 16:3 | 26:3 | transmission [4] | | 24:24 | 27:5 | 27:7 | 39:6 | | |
| substance [1] | 30:12 | 14:18 | 25:15 | 27:12 | 27:16 | 29:7 | wrong [9] | 30:22 | |
| such [4] | 3:13 | 39:17 | | 29:13 | 29:21 | 31:24 | 31:15 | 31:17 | 44:16 |
| 22:18 | 57:23 | transmissions [3] | | 31:25 | 32:2 | 32:7 | 44:18 | 51:13 | 51:15 |
| sum [1] | 30:11 | 24:3 | 24:4 | 32:19 | 32:25 | 33:8 | 51:16 | 54:4 | |
| summons [4] | 6:23 | transmitted [1] | 9:17 | 33:10 | 35:7 | 35:8 | X [2] | 1:3 | 1:9 |
| 6:24 | 18:13 | trespass [12] | 14:11 | 35:9 | 35:10 | 35:12 | yards [2] | 22:19 | 22:20 |
| 18:14 | | 14:13 | 16:3 | 35:15 | 35:19 | 35:23 | York [12] | 1:2 | |
| surveyor's [2] | 44:21 | 19:25 | 20:3 | 38:7 | | | 1:15 | 1:17 | 1:24 |
| 45:16 | | 30:16 | 30:20 | vehicles [7] | 27:14 | | 2:5 | 2:7 | 2:11 |
| suspect [1] | 17:21 | 40:8 | 41:16 | 27:21 | 27:24 | 28:9 | 2:17 | 47:10 | 47:23 |
| suspicion [3] | 17:3 | 40:8 | 41:16 | 29:9 | 36:3 | 38:10 | 59:7 | 60:7 | |
| 17:4 | 17:10 | trespassing [4] | 33:22 | versus [1] | | 45:22 | yourself [5] | 10:2 | |
| suspicious [3] | 17:16 | 34:16 | 34:21 | violation [5] | 40:14 | 41:12 | 34:7 | 39:24 | 42:23 |
| 17:18 | 17:20 | trial [3] | 1:11 | 40:20 | 41:6 | 41:12 | 57:12 | | |
| switch [2] | 21:10 | 59:4 | | 41:16 | | | | | |
| 21:15 | | true [1] | 59:14 | visible [1] | 13:6 | | | | |
| sworn [3] | 3:16 | trying [1] | 20:18 | waited [3] | 22:3 | | | | |
| 4:4 | 59:22 | turn [2] | 15:24 | 23:9 | 33:6 | | | | |
| system [1] | 20:19 | turned [2] | 14:4 | waived [1] | 4:2 | | | | |
| T [5] | 2:20 | 46:12 | | waiver [2] | 3:13 | | | | |
| 3:3 | 60:3 | Turnpike [5] | 5:19 | 3:21 | | | | | |
| 60:3 | | 5:24 | 6:2 | walk [1] | 32:4 | | | | |
| tape [19] | 25:13 | 18:13 | | walked [4] | 6:7 | | | | |
| 44:19 | 44:21 | two [5] | 11:3 | 31:24 | 31:25 | 32:5 | | | |
| 44:22 | 45:2 | 27:20 | 27:23 | wall [3] | 56:3 | 56:5 | | | |
| 45:8 | 45:16 | U [1] | 3:3 | 56:9 | | | | | |
| 46:2 | 50:21 | under [4] | 31:20 | Washington [2] | 2:10 | | | | |
| 51:3 | 51:8 | 40:2 | 41:10 | 2:16 | | | | | |
| 51:12 | 51:15 | 53:18 | | watching [1] | 29:11 | | | | |
| telephone [2] | 12:5 | understand [4] | 14:18 | weapon [8] | 30:25 | | | | |
| 13:22 | | 20:17 | 40:9 | 31:4 | 37:3 | 46:6 | | | |
| ten [3] | 24:15 | understood [1] | 40:4 | 50:5 | 52:13 | 52:19 | | | |
| 34:25 | | UNIDENTIFIED [1] | | 54:15 | | | | | |
| testified [1] | 4:5 | 1:8 | | weapons [5] | 28:25 | | | | |
| testimony [3] | 3:10 | unit [9] | 6:7 | 35:13 | 46:15 | 49:22 | | | |
| 3:12 | 59:12 | 14:13 | 14:16 | 54:25 | | | | | |
| thereby [1] | 3:23 | 14:20 | 14:24 | whole [1] | 53:10 | | | | |
| thereof [1] | 45:3 | 35:6 | | withdraw [1] | 54:13 | | | | |
| third [6] | 13:11 | UNITED [1] | 1:2 | within [1] | 29:12 | | | | |
| 13:19 | 18:13 | unlawful [1] | 46:6 | without [1] | 51:16 | | | | |
| 19:9 | | up [15] | 6:7 | witness [2] | 3:17 | | | | |
| thirty [1] | 10:25 | 7:21 | 28:8 | 47:22 | | | | | |
| thought [2] | 20:8 | 30:13 | 31:18 | Woodstock [26] | 1:7 | | | | |
| 46:10 | | 38:9 | 41:22 | 2:10 | 4:9 | 4:12 | | | |
| three [5] | 31:10 | 42:6 | 42:15 | 5:19 | 10:15 | 11:19 | | | |
| 31:22 | 38:18 | 51:11 | | 17:25 | 21:4 | 21:11 | | | |
| through [2] | 18:6 | used [1] | 44:19 | 32:17 | 37:6 | 38:13 | | | |
| 47:14 | | UTT [1] | 8:16 | 38:16 | 38:22 | 39:3 | | | |
| throughout [2] | 56:5 | valid [1] | 18:19 | 39:8 | 39:15 | 40:3 | | | |
| 56:19 | | Valley [2] | 1:14 | 40:19 | 40:21 | 42:4 | | | |
| title [1] | 47:9 | 1:23 | | 46:17 | 49:2 | 49:6 | | | |
| today [1] | 44:24 | Van [5] | 43:25 | 58:10 | | | | | |
| took [1] | 30:16 | 53:19 | 54:18 | Wooton [8] | 1:6 | | | | |
| top [2] | 47:23 | 54:20 | | 1:13 | 2:9 | 4:3 | | | |
| towards [2] | 31:25 | vehicle [65] | 6:4 | 4:8 | 45:18 | 59:5 | | | |
| 32:2 | | 6:8 | 6:12 | 59:19 | | | | | |
| | | 6:14 | 6:15 | word [1] | 9:15 | | | | |
| | | 6:18 | 6:19 | | | | | | |